

REMARKS

Claims 1-23 are pending in the application. The Examiner has rejected Claims 1-23 under 35 U.S.C. §103(a) as being unpatentable over Solondz (U.S. Patent 6,192,248) in view of Virtanen (U.S. Patent 6,249,681) and Eriksson et al. (U.S. Patent 6,061,559).

Solondz discloses a system for customizing service in a wireless communication system in accordance with a user profile; Virtanen discloses a method and apparatus for packet data call re-establishment in a telecommunications system. Eriksson et al. discloses a system and method for reconnecting a disconnected low priority call in a mobile telecommunications network.

The Examiner is citing Eriksson et al. in support of his rejections of the elements of suspending and resuming the call. The Examiner also cites Eriksson et al. for disclosing that element of Claim 10 that recites, "resuming, by the first mobile station, data transmission after a predetermined time period." As discussed herein below, Applicants respectfully submit that Eriksson et al. does not disclose this element of Claim 10. Claims 1, 14 and 19 have been amended to also include this element.

Additionally, regarding Claim 10, independent Claim 10 recites a method for resuming, by a first mobile station, data transmission without receiving a reestablishment message after a predetermined time period. However, Virtanen, Solondz and Eriksson et al. do not disclose this feature. Eriksson et al. discloses at column 4, lines 38-45 that a predetermined amount of time for reconnecting a disconnected low priority call is predefined within a time period during which users would hardly notice that their disconnected low priority call was reconnected. Claim 10 of the present application recites a predetermined time period that is an occupying time of a current service in progress, not a reconnection time. Solondz and Virtanen does not cure the defects of Eriksson et al. Based on at least the foregoing arguments withdrawal of the rejections of Claims 1, 10, 14 and 19 is respectfully requested.

Regarding Claim 5, independent Claim 5 recites a method for resuming data retransmission in response to a reestablishment message transmitted from a base station if the base station secures enough available resources. Claim 5 of the present application recites that if the base station secures the available resource in order to resume a service of a suspended mobile station, the reestablishment message is transmitted. Virtanen discloses that one of an initial transceiving device transmits a call re-establishment message for the re-establishment of the call

when an additional packet transmission for a released call is required. Virtanen teaches that if the additional packet transmission is required for a suspended call, the re-establishment message is transmitted. Therefore, Claim 5 is different from Virtanen in at least the starting time to resume the service for the mobile station of the released call and how, if the base station secures resources, the reestablishment message is transmitted. In addition, Solondz and Eriksson et al. do not disclose this feature of Claim 5 wherein if the available resources are secured, the mobile station, which receives the re-establishment message, resumes the suspended service. Based on at least the foregoing arguments, withdrawal of the rejection of Claim 5 is respectfully requested.

Independent Claims 1, 5, 10, 14 and 19 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-4, 6-9, 11-13, 15-18 and 20-23, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-4, 6-9, 11-13, 15-18 and 20-23 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-23, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516

PJF/MJM/dr